

Minutes of the Hurricane City Council meeting held March 5, 2015 at 5 p.m. in the Council Chambers at 147 N. 870 West, Hurricane, Utah.

Members present: Mayor John Bramall, Council members Darin Larson, Pam Humphries, Darin Thomas, Kevin Tervort, and Ethelyn Humphries.

Staff members present: City Manager Clark Fawcett, City Attorney Fay Reber, Planning Director Toni Foran, City Engineer Arthur LeBaron, Public Works Director Mike Vercimak, Police Chief Lynn Excell, Fire Chief Tom Kuhlmann,

5:00 p.m. Pre-meeting - Discussion of Agenda Items, Department Reports

Chief Kuhlman reported on a local business with an overabundance of flammable materials. Photos of the site were passed out. He asked the Council for direction on enforcement. He stated he would be happy to deliver another letter to the owner outlining the problems on the site. Pam Humphries stated she saw the business owner hooking up a car dolly in the middle of the street because there is no room on the lot. Council members agreed they don't want to run the business out of town but want him to comply with regulations. Chief Kuhlman said Merlin Spendlove talked to the business owner about the tires and he said they are "collector tires." The business was given 30 days to correct the problem and it has not been corrected. Council members state the laws regarding tire quantities and storage, access, and fire safety should be enforced on this business. A letter will be delivered giving 7 days to bring the property into compliance. The next step would be possible revocation of the business license.

Chief Kuhlman asked if the Council would consider postponing the decision on the Sky Ridge PDO Preliminary Site Plan and send back to the Planning Commission. With the 5' side yards where there is usually an RV stored next door there is a concern for fire safety. There is also the question of when an additional safety egress is required to be completed. All agreed this raises the larger question of fire safety and RV storage on residential lots wherever it occurs.

Mike Vercimak asked about the details for an emergency access road such as who limits access onto the road, who gets access, who maintains the temporary access, and who controls dust.

Darin Larson argued the RV pads next to the houses are a salable product.

Pam Humphries asked for determining access requirements according to the fire code. Chief Kuhlmann explained a second access must be located at least half the distance of the depth of the project from the first access. Clark Fawcett made a case for requiring the developer to build a portion of 2800 West and using that as the secondary egress. Ryan Cashin stated he talked to Frank Lindhardt after the Planning Commission meeting and if this PDO is denied he will come back for possible R-1-6 with 8' side yard setbacks.

Chief Kuhlman reported on inspections of two paint booths – one in the old H&M building and the one at Rare Form. Both are not licensed.

Dave Imlay said there are issues still with net metering. The Power Department is explaining to people who call that they must sign an agreement stating they understand the way solar power metering is

credited may change. Under the changes they will still get credit but it may not be as lucrative as it was. The citizens who have called may come to the Council with complaints.

Mr. Imlay announced the UAMPS member conference will be held August 23-26th in Grand Teton National Park and officials planning to go may need to budget for a hotel half way. Dave reported the Power Department investments made in the last couple of years have really helped service reliability. He said Hurricane City power has excellent employees and good system. Dave was excused at 5:30 p.m.

Council members discussed the full liquor license local consent item. The business, Baristas, has the most email complaints and police calls of any restaurant in Hurricane and is too still close to the High school, library, and seminary even if it meets the distance limitations. State rules require the applicant to have local consent before applying to the State Liquor Board.

Mike Vercimak said he will be handling the airport pavement and slurry seal bids.

Arthur LeBaron was asked why there is a need for an additional engineer for the Water Department. He explained the City would have to hire additional production staff if he is expected to meet all the needs of all the departments. The Water Department contracts for engineering on a regular basis. They issued the RFP because they want to keep an on-call firm that has the City model for the water system that they can work with for at least five years. One of the requirements is that the City will keep the model in-house so the staff can use it as needed. There is no retainer clause but if they do work they are paid. The Water Department also reserves the right to use another engineer if staff feels a project is outside the ability of the contract engineer. Six proposals were submitted from well qualified applicants. Five people reviewed the proposals and the recommendation is to retain Alpha Engineering.

Mr. LeBaron explained 400 South is on the project list but it is not necessarily the top priority. There are more pedestrian needs on 600 North than 400 South. If there is a project on 400 South it will require a full road project including widening asphalt and installing curb gutter and sidewalk. Temporary measures such as leveling and putting in some gravel along the shoulder might be a good fix. On the other hand, building sidewalk will encourage people to get out and use the sidewalk.

Fay Reber explained the Water District is still reviewing the Grandpa's Pond Park Agreement. He has explained the final draft to Barbara Hjelle and explained it does not affect the District. They are not willing to sign until further review.

Chief Excell reported on the recent kidnapping attempt. He said the students learned a lot and great police work tracked down the suspect.

He stated they have had four deployments with the K-9 officer recently and found drugs every time. They have had to order their 3rd round of drug identification kits for this year because of increased drug arrests.

Chief Excell stated the majority of complaints from Barista's have been from the proprietor complaining about the customers not complying with his desires. The Police Department has three emails a week complaining about the establishment. He said he has observed the east door open and accessible but the only door that can be legally open with a limited restaurant license is the north door. He expressed

the opinion adding the hard liquor changes the element of the restaurant and questioned why the Council would do something that does not reflect well on our community. He stated the police have never been called to Sonny Boys or Triple TJ's.

Ken Richins thanked Arthur for his professional review of the engineering proposals.

Mayor Bramall called a break at 5:53 p.m.

Mayor Bramall called the meeting back to order at 6:05 p.m. Stephen Meyer led the Pledge of Allegiance and Jeanne Allen offered a prayer. All those present applauded the police department for their excellent work on the kidnapping attempt.

Employee of the month award – Ken Richins presented the award to Camden Dutton. He said Camden has learned how to work well in the Water Department and earned this award with his efforts.

Approval of minutes – Kevin Tervort motioned to approve the minutes of 12-18-2014; 1-29-2015, seconded by Ethelyn Humphries. Motion unanimously approved with Darin Larson, Pam Humphries, Darin Thomas, Kevin Tervort, and Ethelyn Humphries all voting aye.

6:15 p.m. – Public Forum – Comments From Public

Cecile Rathbun asked why the fix on 600 North chip seal does not come up to the Maverick from the fire station. Mike Vercimak said the whole section is going to be fixed with a new chip seal application. Ms. Rathbun explained her problem. Property owners in Canyon Ridge are finding their views will be blocked because lots in Park View Subdivision are being landscaped with tall trees. She asked if there is any chance of getting an ordinance to protect views for residents. Darin Thomas stated it is hard to regulate on private property. Ceil responded "If people need a permit for a block wall, why can they block views?" Council members expressed the opinion they should not regulate what happens on private property unless there are health, safety, or welfare issues. It was clarified houses are limited to 35' high and accessory buildings to 20'.

Consideration and possible approval of bid for the UDOT pavement maintenance project at the General Dick Stout Airport – Mike Vercimak presented the bid tabulation which showed Straight Stripe's bid of \$74,858 as the low bid.

Kevin Tervort motioned to approve Straight Stripe's bid, seconded by Darin Thomas. Motion unanimously approved with Darin Larson, Pam Humphries, Darin Thomas, Kevin Tervort, and Ethelyn Humphries all voting aye.

Consideration and possible approval of local consent for Prospectors Place Pizza beer license-Jeanne Allen said they have been running Sonny Boys and have had no complaints and will be running this restaurant the same way. She explained the restaurant will provide another option for food and not be competition for their other restaurant. Chief Excell confirmed they have had no police complaints.

Ethelyn Humphries motioned to approve local consent for beer and wine at Prospectors Place Pizza, seconded by Pam Humphries. Motion unanimously approved with Darin Larson, Pam Humphries, Darin Thomas, Kevin Tervort, and Ethelyn Humphries all voting aye.

Consideration and possible approval of local support for a restaurant full service liquor license for

Baristas-Mr. Stephen Ward asked if the Council had seen the proposed house rules and menu and they affirmed they had reviewed them. He explained a couple of years ago he came to get support for a beer and wine license and said they would get no citations and have had no incidents. Police have not been called out for any fights or alcohol related incidents. He stated he is back to respectfully request a full liquor license for his restaurant so he can serve a drink. Mr. Ward reminded the Council he and his wife, Pam Ward, don't drink and don't condone alcoholism. They consider their establishment a dinner house and don't want their clientele to just sit and drink. For example, a customer who orders just an order of onion rings would be allowed just one cocktail. Mr. Ward said his prices are a deterrent to overconsumption, citing the example of his beer prices that were considered high yet he sells \$50,000 a year in beer. Mr. Ward stated he has been told the police from Purgatory come and enjoy his restaurant and "they love us." He further stated, "The State loves us, our bills are paid, taxes are paid, we have no debt, no lawsuits, no trouble, not debt, no trouble and we are asking for permission to serve a drink." Mayor Bramall stated he had four comments on this application. First he said that over the past year he has had many complaints from locals and visitors about Mr. Ward's establishment, both in person and via email. Secondly, he has reviewed the police logs and it appears Mr. Ward has had the police called to his establishment many times. It appeared Mr. Ward actually initiated the calls to complain about his patrons. Third, reviews on social media such as Yelp, Trip Advisor, and Urban Advisor of the restaurant have been bad. Last, Mayor Bramall expressed a concern it appears Mr. Ward has chained a side door that is required as an emergency exit.

Stephen Ward responded and stated anyone can say anything they want by sitting down and getting on Gmail and saying anything they want. He stated, "That is heresy and it will not stand in court." He stated all of the comments on Yelp are false. Mr. Ward said the people who have complained can complain, commenting "I served 50,000 customers last year and 4 of them complained to you." He asked what percentage of customers who complained that would equal.

Darin Thomas said the number of complaints is a lot higher than four. He has had several complaints also, people who are family and local who will never go back to Mr. Ward's establishment. Mr. Thomas said Mr. Ward can't just say the complaints are from people who sit down and write an email because the complaints are from people who come to City officials, people who live here and people who have lived here for a long time.

Stephen Ward stated that is all just part of the "racket...the concerted effort by the locals to discredit us to the Council to prevent us from moving forward." He said they are the most successful dollar for dollar restaurant in the County, stating "we serve our customers excellent food at a fair price and they can complain all they want."

Darin Thomas asked if Mr. Ward could explain why a Barista's employee told his son who was parked on the public street in front of Barista's to go to Alberto's was told he could not park there. Mr. Ward said he did not know who would do that or why. Mr. Thomas said it has happened numerous times to different people who park in front of the establishment. Mr. Ward said it is not him doing it because he likes it when people park in front because it makes him look busier.

Mr. Ward asked the Mayor about his comment regarding calls to the police, asking if he should not call the police when people are being disorderly and causing alarm in his restaurant. Mr. Ward stated, "We are tired of being abused by the locals."

Pam Humphries stated she feels the Council should discuss whether or not they believe restaurants in Hurricane need to dispense hard liquor. She stated she does not feel establishments in Hurricane need to dispense hard liquor.

Mr. Ward stated he wanted to let the Council know they are going to challenge it because they are denying him the right to compete with restaurants in Springdale and elsewhere in the County. He stated they are denying him what is rightfully his – there have been no issues and there have been no fights, there have been no DUI's and there have been no citations. "Because your hateful friends write fake reviews against our family and badger us and harass us you are using that to deny me a license."

Mr. Thomas explained the concern is not because of fake reviews but because of what people have told Council members. Mayor Bramall stated he has heard from people in many different states and even countries with complaints. Mr. Ward responded, "So they don't like our prices. They don't have to stay." Mayor Bramall clarified most of the complaints have to do with Mr. Ward's attitude, not the prices. Mr. Ward said he can have any attitude he wants, just like any other business. He further stated he does not deal with customers directly because he can afford not to but has waiters and waitresses to do that. Mr. Ward said he feels they have taken abuse from the locals who are rude for over six years. He stated they are very rude to Brian. Pam Ward recounted had an incident with a local woman who slapped her in the face because she asked the woman to leave due to her language and how she was acting.

Mr. Ward said he will fight if the Council denies the local consent. He indicated he believed Springdale businesses are behind all the negative comments and locals who work in Springdale because they don't want him to succeed. He stated he can charge \$500 for a steak if he wants to and he will get it. Mr. Ward said he has invested \$3 million in the City and is getting ready to invest another \$980,000 in a new building. He said he a quarter of a million in taxes last year. He asked the Council to show him some real facts because everything he has heard is just hearsay. He asked the Council to provide video of him being rude or proof he has violated any law. He said as far as people being asked not to park in the front of the restaurant, he did not know who would do that. It was clarified that Mr. Ward himself had actually asked Chief Excell to move his vehicle from the front of the restaurant when Chief Excell was off duty and in his personal truck over a year ago.

Clark Fawcett stated he has never had a complaint about any restaurant in the 32 years he has worked for the City. Since Baristas opened he has had people come into his office and complain. It is not hearsay – they come and sit in his office and complain about how they have been treated in the restaurant. Mr. Fawcett stated he does not care about the prices. The problem is the attitude at the restaurant and the complaints have given the City of Hurricane a black eye and adding alcohol to attitude is not a good decision for the City.

Mr. Ward responded that his restaurant has put Hurricane on the map. He said William Defoe and Michael Ironsides were not going to come and eat at JB's. He said 30% of the business is return local clientele who love Baristas.

Mr. Ward and Mr. Fawcett got into a discussion about the total sales at Baristas in comparison to other restaurants in Hurricane, with Mr. Fawcett indicating Baristas does not appear to have the sales tax impact that would be expected if sales are as good as Mr. Ward claims. Mr. Fawcett indicated sales tax returns to the City are not hearsay – they are fact. The fact is other restaurants are paying more sales tax than Baristas so perhaps some of Mr. Ward's facts are also hearsay.

Resident Stephen Meyer said he has trouble with the idea of legislating morality, calling it a slippery slope. He cautioned the Council about denying a license approval because they don't like a business owner. Mr. Meyer did say he has had a bad experience with Mr. Ward. Clark Fawcett clarified the decision was not if they like Mr. Ward or not but whether the mixture of alcohol and attitude would result in problem. He stated that is not a morality issue it is a matter of how people are being treated. Mr. Ward reminded the Council he does not drink. Customers are limited to one drink per appetizer and three drinks for a full meal.

Kevin Tervort said the Hurricane City Council allowed the rear entrance and granted the wine and beer license and that should be enough. He stated in his opinion there should not even be wine and beer

because it is still too close to the school. Mr. Ward and Mr. Tervort discussed the number of citations Mr. Tervort has had in his 30 years of holding a license to sell beer at his store. Mr. Tervort clarified he has had employees sell illegally twice in 30 years. Mr. Ward said he has never has a citation in two years.

Pam Humphries motioned to deny local support for a hard liquor license at Baristas because she did not think it is a benefit to the City of Hurricane, seconded by Darin Larson. Motion unanimously approved with Darin Larson, Pam Humphries, Daring Thomas, Kevin Tervort, and Ethelyn Humphries all voting aye.

Mr. Ward told the Council he would see them in court and left the room.

Discussion regarding installation of sidewalk on 400 S from 1150 W to 700 W-Leslie Reeve & Harmony Vanderhorst – Leslie Reeve asked if there was a grant to pay for a sidewalk. Arthur LeBaron said he looked at the Safe Routes to Schools grant but there has not been grant money available for four years. He said there are some things that can be done to make the shoulder better – something to separate the road from the kids. Mrs. Reeve said this is a 35 mph road so people drive 40 mph. Other options for walkers are 920 West or 650 South which are both very narrow. She stated there are people who walk and run on this road daily. Additionally there is the 1150 West and 400 South charter school bus stop. She estimated there are approximately 30 Three Falls Elementary students along this route. Mike Vercimak said a gravel path on the north side of 400 West is possible. It would not be a paved path but would be leveled so it might be appropriate for jogging strollers but not normal strollers. Harmony Vanderhorst told the Council, “I should be able to send my children on a bike to school and let them go to school on their own.”

Darin Thomas said the cost for a sidewalk would be close to \$200,000. The master plan shows a 5' sidewalk on each side but for now the City has material and crews to put in a path. It was clarified there is room for separation between the road and the path. Ms. Vanderhorst said she believes the City can find a solution and asked if they can come back in a month and get a progress report. Darin Larson suggested getting the cost estimates together and discussing this again.

Harmony pointed out they pay impact fees and they should go for this project. Arthur LeBaron explained impact fees go for the spine of roads. Development pays for asphalt widening and curb, gutter, and sidewalk.

Staff was asked to provide cost estimates for a gravel path and an asphalt trail. Ms. Vanderhorst objected by stating roller blades, scooters, and strollers don't work on a gravel path.

Ethelyn Humphries asked if a gravel path right now would be wasted. Arthur clarified an asphalt trail could go on the gravel path in the future.

Mrs. Reeve and Mrs. Vanderhorst said they would be back in two weeks for an update.

Consideration and possible approval of a contract for on-call engineering services for the Hurricane City Water Department – Arthur LeBaron reported the request for qualifications included data collection, training and support of city personnel, with contract rates set on a yearly basis renewable yearly for five years.

After reviewing all the proposals the committee recommends the contract be granted to Alpha Engineering.

Pam Humphries motioned to approve a contract for on call engineering services for the Hurricane City Water Department to Alpha Engineering, renewable yearly for next five years. Darin Thomas seconded the motion. Motion unanimously approved with Darin Larson, Pam Humphries, Darin Thomas, Kevin Tervort, and Ethelyn Humphries all voting aye.

Consideration and possible approval of a contract for street pavement preservation – Mike Vercimak explained the engineers estimate was higher than the recommended bid. Schedule A bidders were asked to bid type 2 slurry seal. Schedule B was HA-5 seal. The recommendation is that the bid be awarded to Morgan Paving.

Pam Humphries motioned to approve a contract for street pavement preservation with Morgan Paving for \$229,300 seconded by Ethelyn Humphries. Motion unanimously approved with Darin Larson, Pam Humphries, Darin Thomas, Kevin Tervort, and Ethelyn Humphries all voting aye.

Darin Thomas questioned the speed limit on 400 South. Arthur LeBaron said drivers are comfortable driving 35 on that road. It has a wider right of way and different functional classification of road than a residential road. Police have surveyed and found that 85% of drivers follow the speed limit.

Darin Larson asked why the speed limits have not been changed on SR-9 as recommended in the study. UDOT has been contacted. They will be replacing the feedback speed signs by the Quail Lake turn.

Consideration and possible approval of renewal of interlocal agreement for Ironman 2015-Kevin Lewis was not present. Ethelyn Humphries asked if Hurricane gets any advertising from the Ironman. It was clarified the advertising and racer information does state that Sand Hollow Reservoir is in Hurricane City. Kevin Tervort said he is willing to approve but the organizers need to mention Hurricane. He asked if it is another five year agreement.

Ethelyn Humphries said the Ironman website has a partner's page and it should have the City's logo on the partner's page.

Kaden was directed to send a letter supporting recognition of the Hurricane location. Staff explained display of a logo requires sponsorship and Hurricane City is not donating anything to this event as the Ironman event pays for services.

Darin Larson motioned to renew the interlocal agreement for Ironman, seconded by Pam Humphries. Motion unanimously approved with Darin Larson, Pam Humphries, Darin Thomas, Kevin Tervort, and Ethelyn Humphries all voting aye.

Consideration and possible approval of a zone change request for 11.995 acres to change from PDO/Mobile Home-RV to PDO/Single Family Residential R-1-8 to add further phases of Sky Ridge Subdivision and approving specific variations from the development standards of the Planned Development Overlay – *Gemstone Properties applicant*

Frank Lindhardt explained Gemstone has an opportunity to purchase the 12 acres immediately south of the existing Sky Ridge property that can be served by sewer. They made an offer on the property subject to getting the same zoning they have on the 60 acres so they can continue to build the same homes and do the same thing they have been doing. Mr. Lindhardt showed some of the homes built in the existing phases. They use the 5' setback on one side to allow room to build an RV pad on the other side of the house. The boats and RV's are stored on the lot and not on the street. He stated "We cater to the toys and build to accommodate them. Residents in normal subdivisions with 10' and 10' side setbacks can't store toys."

Mr. Lindhardt stated he met with VE Investments – Jim Wilson. They have agreed to allow an easement across the VE property for secondary and emergency access. Gemstone will be improving it to the specifications required by the Fire Code. Location of the road was discussed. Gemstone Properties will maintain the road as an emergency access. The Council and staff discussed with the applicant the fact that the emergency road will be used every day unless the road is gated.

Pam Humphries said she does not see any variety in this plat as required by the PDO. Frank Lindhardt said he was on the Planning Commission when the PDO was developed. He stated they are a clean subdivision but do not have an association.

The RV parking pads were discussed. Last week there was fire in a subdivision where additional houses were damaged because of an RV stored next to the house.

Frank Lindhardt said he has talked to the Chief about RV's being an issue. They can pull out the RV if there is a fire and access the yard easily because of the wide pad.

Concerns with emergency access in a fire were discussed. Frank said he feels the temporary road addresses that issue. He pointed out that when built out there will be four entrances and exits out of this subdivision.

Adjoining property resident Debi Proball said Mr. Lindhart agreed to a back yard setback of 25' and limiting roofs to a 4/12 pitch along the east side of the 12 acres. The PDO requirement of a 30' buffer along the PDO boundary between the property and adjoining residentially zoned property was discussed. Mr. Lindhardt stated he would like to be granted a variation from that requirement along the south and west sides because there is an elevation change on those sides.

Darin Larson motioned to approve the zone change request for 11.995 acres to change from PDO/Mobile Home-RV to PDO/Single Family Residential R-1-8 to add further phases of Sky Ridge Subdivision and approving a variation from the development standards of the Planned Development Overlay by requiring the 30' buffer only on the east side of the property, not the south and east sides, and requiring emergency access as approved by the Fire Department and requiring a 4/12 pitch for roofs on the east side of the property. Motion was seconded by Kevin Tervort.

Ethelyn Humphries stated she has a problem with granting the PDO, which is for better development, and then having the applicant ask for a variation. Better development is not just no toy parking in the streets.

Vote on motion: Darin Larson, yes; Pam Humphries, no; Darin Thomas, yes; Kevin Tervort, yes, and Ethelyn Humphries, no. Pam Humphries explained she voted no because she wants to postpone a decision until safety issues are adequately addressed.

Toni Foran explained the ordinance requires 4 yes votes to approve a variance to the PDO standards.

Darin Larson amended his motion to approve the zone change to a PDO subject to the same requirements as the first motion but not granting a variation to development standards. Kevin Tervort seconded the motion. Motion approved with Darin Larson, Darin Thomas, Kevin Tervort, and Ethelyn Humphries voting aye and Pam Humphries voting no.

Consideration and possible approval of award of bid for Dixie Springs Park Phase 2-Darren Barney explained the next phase consists of a restroom building, pavilion, concrete work, landscaping, and some grass. Laying sod, spreading gravel, and planting trees will be done by volunteers. The budget includes \$8000 for plant materials. Mr. Barney said the bid advertisement required bidders to give three references for similar type jobs. The lowest bidder, B. Hansen Construction, did not have experience with parks and landscaping. The next lowest bidder, SunRoc, has built many parks. Fay Reber confirmed the City has the right to reject the low bidder if there are other requirements besides price. The bid document states contract will be awarded based on all factors, not just price. Mr. Barney confirmed the low bidders are within 3% of each other in price. There is a line item discrepancy in the lowest bid.

There was no local preference clause but City policy does require it to be awarded to the “lowest responsive bidder.” In this case the lowest bid was not from a responsive bidder.

The Council discussed local preference, understanding it has not been adopted into policy. They acknowledged many employees of SunRoc are local residents but IRP is a local company which supports local events and teams.

Darren Barney reminded the Council the bidder will be held to the bottom line so line items are not critical for the contract.

Darin Thomas motioned to award the bid for Dixie Springs Park Phase II to IRP. Motion died for a lack of second.

Pam Humphries motioned to accept SunRoc as the low bidder and award the bid for Dixie Springs Park Phase 2, seconded by Ethelyn Humphries. Motion carried with Darin Larson, Pam Humphries, and Ethelyn Humphries voting aye and Darin Thomas and Kevin Tervort voting nay.

Consideration and possible approval of a preliminary plat for Park Side at Grandpa’s Pond Subdivision a 177 lot subdivision on 65 acres located north of Park View Drive and west of 3400 West – Interstate Rock Products, Inc., - After discussion on the trail location and archeological site and Planning Commission recommendations, Pam Humphries motioned to approve the preliminary plat subject to the Planning Commission recommendations and conditions, seconded by Darin Larson. Motion unanimously approved with Darin Larson, Pam Humphries, Darin Thomas, Kevin Tervort, and Ethelyn Humphries all voting aye.

Consideration and possible approval of the updated Hurricane City Employee Policy- Clark said the policy is same as presented for review several months ago. He stated that trying to clean up the IRS issues has been a real problem. The update includes the use of city cars to commute as an IRS event so use of the car will be added to W-2’s as income based on \$3 per day for commuting. This will add about \$700 of income that will cost the supervisors in additional taxes. The Council could chose not to require supervisors to take vehicles home or they could require the vehicles to be taken home and add to the supervisor’s pay to cover the cost.

Ethelyn Humphries said she believes all the Water Department employees use a City vehicle to commute. Without the vehicles they will be slower to respond to calls. Clark Fawcett explained Police and Fire vehicles are exempt. Power employees can take a line truck home and that would not be considered commuting. Mr. Fawcett said Saratoga Springs was audited last year and because they had made changes to policy they did not have any problems. He suggested the City add \$200 to wages to offset the commuting cost. Supervisors were not angry about the change though they did not want it to happen.

Ethelyn Humphries recommended adding to the wages to cover the additional taxes.

Darin Thomas asked about public perception with City cars in employee residences. Clark Fawcett commented he sees vehicles from other city employees used all over the community. The Council does have an option to change the policy to say that supervisors can’t take the vehicles home but that would change response if supervisors were needed after hours.

Pam Humphries motioned to approve the updated policy as described, seconded by Kevin Tervort. Motion unanimously approved with Darin Larson, Pam Humphries, Darin Thomas, Kevin Tervort, and Ethelyn Humphries all voting aye.

Stephen Meyer commented he believes only 65% of the population in Hurricane is LDS and is pretty sure only 45% are active. He asked the Council members to remember there are people who believe it is okay to have a drink of liquor. The Council members discussed health and safety issues with liquor.

Mayor, Council and Staff reports

Pam Humphries	Court, Water, Power, Hurricane Fire and Ambulance Department –Pam reported on the fire by the Middle School when there were only two firefighters available. Mike Bringhurst responded from the dentist chair or there would have been only one. She commented it shows the need for more full time employees for fire and ambulance.
Darin Larson	Planning Commission, Economic Development, Planning Department – no report
Kevin Tervort	Golf Course, Streets & Drainage, Industrial Park, Youth City Council, Mosquito Abatement – no report
Ethelyn Humphries	Sewer District, Fire District, Solid Waste, Building Inspector – Solid Waste District chose to negotiate with Dixie Waste for recycling.
Darin Thomas	Recreation, Parks & Cemetery, Swimming Pool, Board of Adjustment, Historical Preservation, Beautification – no report
Mayor	Airport, Administration, Building, Police, Animal Control, School Crossing Guards, Emergency Management, Victim Services, Public Works, Engineer- no report
Staff Reports	as needed

Adjournment – Meeting adjourned at 8:20 p.m.